

2/4/08 - Monday, February 4, 2008

CITY OF EAU CLAIRE

PLAN COMMISSION MINUTES

Meeting of February 4, 2008

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs: Larson, FitzGerald, Kayser, Waedt, Kaiser, Vande Loo, Davis, Hughes

Staff Present: Messrs. Tufte, Reiter, Genskow, Ivory, Fieber

The meeting was chaired by Mr. Kaiser.

1. **REZONING (Z-1405-08) - R-2, R-3, R-4, R-4P, and CBD to R-2P, RMP, C-1P, and P-Public for the Eastside Hill Neighborhood**

Mr. Tufte reviewed the process for the proposed down-zoning of the Eastside Hill Neighborhood as recommended by the neighborhood plan. Mr. Tufte presented land use maps of the neighborhood which illustrated the existing uses and the proposed down-zoning and the consequences of the down-zoning. The properties east of Winter Street would be rezoned to R-2P, which means that multi-family development would no longer be allowed in this area. The area west of Winter Street would be rezoned from R-4 and R-3 to RMP. The resulting rezoning would mean the multi-family development may be allowed with a conditional use permit with minimum lot standards. A couple of individual commercial properties would become C-1P. Mr. Tufte pointed out that a number of existing uses and structures would become nonconforming with this rezoning.

Lynn Gautsche, 421 Talmadge Street, and President of the Neighborhood Association, spoke in support of the rezonings. She reported on the history of the plan preparation and the survey results from the residents.

Everett Blakely, Jr., 237 Niagara Street, spoke in opposition. He stated that he owns several properties which were built in the 1970s which will become nonconforming. He reported that there is very little demand for single-family homes in this area. The older homes are inefficient properties and few meet the minimum housing standards. He is opposed to the R-2P zoning west of Boyd School. This area is closer to the downtown and should allow higher densities here. He stated that he didn't become active in the rezoning process because he had understood that this area would remain for higher density housing. Later in the process, the neighborhood moved the low-density zoning west to Winter Street.

Wayne Peters, 2227 Skeels Avenue, spoke in opposition. He also described his properties, which were built according to R-4 zoning and now become nonconforming structures. He claimed there is a need for higher density residential property close to the downtown. This rezoning is unfair to property owners such as himself and requested that the Commission reconsider the rezoning in the western areas of the neighborhood.

Dave Strobel, 1210 Barland Street, spoke in support. He stated the residents seem to be very pleased with the results of the plan and the proposed rezoning. There are very few nonconforming properties.

Pat Ivory commented on the process used to collect input on the random survey.

Randy Ganther, 909 Barland Street, also spoke in opposition to the rezoning in support of Mr. Peters' statements.

Mr. Davis moved to postpone consideration to allow time to review the request and the neighborhood. The motion died for lack of a second.

Mr. Vande Loo moved to recommend the rezoning. Mr. Kayser seconded and the motion carried. Mr. Davis voted no.

2. **CONDITIONAL USE PERMIT (CZ-0802) - Ground Floor Dwelling in CBD**

John Torgerson has submitted a request to allow a conversion of the existing main floor office space at 708 S. Farwell Street to an apartment unit. The site plan>

John Torgerson, applicant, appeared in support. No one appeared in opposition.

Mr. FitzGerald moved to approve. Mr. Larson seconded and the motion carried.

3. **CONDITIONAL USE PERMIT (CZ-0803) - University>**

Concordia University has submitted a request to allow>

Sheryl Walker, representing Peace Lutheran Church, spoke in support. The representative from Concordia University was not able to attend.

Tamara Berg, 812 E. Hamilton Avenue, spoke in opposition. She felt this request would have a negative impact on the neighborhood by increasing traffic and noise. She complained about the noise from an air conditioning unit, which can be heard in the neighborhood. She didn't feel it was appropriate for a church to operate a school business in a residential area.

Larry Smith, 3241 Nimitz Street, also spoke in opposition. He had concerns with increased traffic and noise and felt the proposed use would have a negative impact on property values.

Darwin Wittrock, 3250 Nimitz Street, stated that his main opposition was to the increase in traffic.

Susan Smith, 3241 Nimitz Street, stated that she is not opposed to the request but would hope that this use would not get larger.

Lois Macke, 817 E. Hamilton Avenue, stated that she opposes the request because of the increase in traffic.

Richard Fremstad, 712 E. Hamilton Avenue, opposed the request because of the increase in traffic and the noise from the air conditioner.

Sheryl Walker responded that the Church has been trying to lesson the noise from the air conditioning unit. She also felt that most of the traffic on E. Hamilton Avenue was from the growth of the residential areas in this part of the city.

Mr. Davis stated that he would prefer to postpone consideration to allow the church and the University to meet with interested neighbors to discuss the operation and potential long-range plans for this request.

Mr. FitzGerald moved to postpone consideration until March 3, 2008. Mr. Kayser seconded and the motion carried.

4. ANNEXATION (08-1A) - Phillips Property, Town of Union

Rhoda Phillips, Eleva, Wisconsin, and trustee for the family has petitioned for annexation of 116.8 acres located on the east side of CTH "T" (North Clairemont Avenue) south of County Line Road and north of Fortune Drive, from the Town of Union to the City of Eau Claire. Both sewer and water are available from North Clairemont Avenue and along Fortune Drive. The land is vacant and is already surrounded by the City on three sides.

Mr. Wayne Peters, representing the sellers, spoke in support.

Mr. Vande Loo moved to recommend approval. Mr. Kayser seconded and the motion carried.

5. EXCESS PROPERTY - 10TH Avenue, North of Water Street

Mr. Genskow presented a request from the City to declare a remnant of property as excess to sell to the adjacent property owner. The City had originally purchased the property in order to realign Water Street to Menomonie Street. The City then sold the excess land but a small triangular parcel was not included and is now part of a proposed addition to Oxbow Apartments.

Mr. Davis moved to recommend approval of the declaration. Mr. FitzGerald seconded and the motion carried.

6. PROPERTY ACQUISITION - 806 Cameron Street

Mr. Fieber presented a request to accept a donation of property at 806 Cameron Street to the City for the purpose of completing the trail across the north shore of Half Moon Lake. Although the parcel does not border the shore of the lake, it does allow the City to complete a trail to Cameron Street and then users can follow the sidewalk to Buffington Park.

Mr. Vande Loo moved to recommend approval of accepting the parcel. Mr. FitzGerald seconded and the motion carried.

7. SITE PLAN (SP-0802) - Indianhead Foodservice Expansion, 313 Hastings Place

ESI Design Services has submitted a site plan for an industrial building expansion to the Indianhead Foodservice Distributor located at 313 Hasting Place. The proposed addition is 22,981 sq. ft. and consists of a freezer storage area, a cooler storage area, and a loading dock addition. The applicant has submitted a revised site plan from the staff report which provides for all paved parking areas and presents a dumpster location with enclosure. Staff recommended approval, with the elimination of Items #2 and #4 from the conditions of the staff report.

Jesse Gillette, Indianhead Foodservice, spoke in support. He stated that this will update their facility. They will provide street trees and drainage and will provide an attractive color scheme to the facade of the warehouses.

Mr. Vande Loo moved to approve the site plan with the three remaining conditions in the staff report. Mr. Davis

seconded and the motion carried.

8. **SITE PLAN (SP-0804) - Apartment Additions to Rooming House, 1240 S. Farwell Street**

Randy Sanford has submitted a site plan to allow a 3-unit addition to the existing rooming house at 1240 S. Farwell Street. The proposal expands the two-story, four-bedroom rooming house to include one four-bedroom unit and two units that have 3 bedrooms each. A revised plan was submitted to the Planning office after the staff report. This revised plan reduces the number of required spaces to 12. Eleven spaces are provided on the revised site plan, as the property is located on a bus route and qualifies for a 1-space reduction. The revised plan also provides a 10-foot separation between the parking and the building and also indicated a screened trash enclosure. The owner will then drop the rooming house license from the property. Mr. Tufte noted that the proposal does conform to zoning requirements for both the existing R-3 district and a possible RM district.

Pam Lovelien, property owner, spoke in support. She noted that there is a 4-plex to the north and the property owner to the south supports the addition. There are numerous rentals in the neighborhood. She reiterated that she would drop the rooming house license. She also showed the facade, which will be totally redone for the structure.

Stan Carpenter, 409 Summit Avenue, president of the Third Ward Neighborhood Association, spoke in opposition. He felt that although the zoning allows the enlargement, that it does increase density in the neighborhood and also proposes a much larger structure on the lot. He said there doesn't appear to be a need for more housing in the neighborhood given the number of "for rent" signs on display.

Ms. Lovelien countered that she will be providing more off-street parking than is available now within the block, which should help reduce congestion on the street.

Mr. Vande Loo moved to approve the site plan. Mr. Waedt seconded.

Mr. Kayser then moved to postpone consideration until February 18, 2008, so that the applicant can meet with the steering committee of the neighborhood association. Mr. Larson seconded and the motion carried.

Minutes

The minutes of the meeting of January 14, 2008, were approved.

Fred Waedt
Secretary